

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENNIS BRIAN MALAGA,

Petitioner,

Case No. 1:07-CV-97

v.

HON. GORDON J. QUIST

CAROLE HOWES,

Respondent.

JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on December 22, 2009. The Report and Recommendation, which recommended that the petition be denied, was duly served on Petitioner on December 22, 2009. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).¹

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed December 22, 2009, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Petitioner's habeas corpus petition is **DISMISSED WITH PREJUDICE**.

This case is **concluded**.

Dated: January 14, 2010

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE

¹On December 31, 2009, the envelop containing the copy of the Report and Recommendation sent to Petitioner was returned to the Clerk's office indicating that Petitioner had been paroled and the forwarding time had expired. A petitioner has a continuing obligation to keep the court informed of his current address. *See Prea v. Battaista*, No. 91 Civ. 1171 (TPG), 1993 WL 97423 (S.D.N.Y. Mar. 30, 1993). Petitioner failed to comply with this obligation.